



THE CITY OF NEW YORK
LAW DEPARTMENT
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USDS SDNY
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MEMO ENDORSED

February 25, 2008

Via Facsimile (212) 805-7949

Honorable P. Kevin Castel
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 2260
New York, New York 10007

Re: Glenn Johnson v. City of New York
07 CV 10698 (PKC)

Your Honor:

I am the Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, assigned to the defense of the City of New York¹. I write to request an adjournment of the initial pre-trial conference scheduled for February 29, 2008 at 10:15 a.m., and also to clarify certain mis-statements in plaintiff's correspondence to the Court dated February 21, 2008.

As a threshold matter, plaintiff erroneously purports that defendant's basis for an adjournment is that defendant either lost or misplaced the releases for plaintiff's criminal records. The plain fact is, the releases were never received by this office. In fact, when defendant conferred with counsel concerning the request for an adjournment, defendant inquired whether said releases had already been mailed. However, at no time did defendant represent that it had lost or misplaced the releases.

On February 21, 2008, defendant received plaintiff's application to the Court with a copy of the releases attached thereto. We are now requesting records using this copy of the releases.

¹ Plaintiff has filed the above-referenced complaint, wherein he alleges that on October 18, 2007, he was falsely arrested and imprisoned by New York City police officers.

*Conferred
and agreed upon
February 29, 2008 at 9:45 a.m.
March 14, 2008 at [Signature]
SO ORDERED.
JSD
3-25-08*

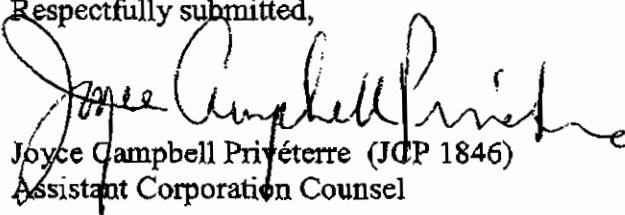
However, the original releases are still required in order for defendant to obtain all of plaintiff's relevant criminal records.

However, at this juncture, defendant cannot have meaningful participation in a Rule 16 conference pending receipt and review of documents that identify the subject officers and the purported basis for plaintiff's arrest and detention.

This is defendant City of New York's second request for an adjournment of the initial pre-trial conference. Accordingly, defendant City of New York respectfully requests that the initial pre-trial conference be adjourned from February 29, 2008 to March 14, 2008, or a date thereafter that accommodates Your Honor's schedule.

Thank you for your consideration in this matter.

Respectfully submitted,


Joyce Campbell Privéterre (JCP 1846)
Assistant Corporation Counsel

cc:

Via Facsimile

Richard Cardinale, Esq.
Cardinale & Marinelli
Attorneys for Plaintiff